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Application No.1252 of 2023 in
CS.No.830 of 2017

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in

CS.No.830 of 2017

R.N.MANJULA, J.

The 2nd defendant is the applicant and he seeks to dismiss the suit as withdrawn as far as the plaintiffs 1, 5 and 6 in C.S.No.830/2017 in view of the Compromise entered into by them and others on one hand and the 2nd defendant on the other hand.

2. Such an order cannot be passed unless the request for withdrawal of the suit originates from all the plaintiffs who have filed the suit jointly.

3. At the instance of the 2nd defendant, the suit cannot be withdrawn by recording the compromise entered into between the 2nd defendant and a few of the plaintiffs. The Compromise cannot be recorded, since the petition is not maintainable.

Accordingly, this application is dismissed as 'not maintainable'.

27.03.2023

[4/5]

jrs



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